

Chapter 1

Introduction and Summary

WASHINGTON'S FOREST LEGACY PROGRAM

- Driven by federal criteria and state goals and objectives
- Supporting landscape-wide strategies
- Leveraging benefits
- Coordinating with partners
- Helping privately owned forests provide benefits for generations to come

In 1990, Congress created the Forest Legacy Program to protect environmentally important forest areas threatened by conversion to non-forest uses. Washington was one of the first states to participate, and for ten years, it has successfully implemented the program in the most urbanized part of the state. During that time, the program has been embraced by the conservation community and private forest landowners.

Washington's goals for the program have been not only to protect forestland from conversion, but also to protect water quality, habitat and timber management opportunities. These goals were first defined in 1993, in the federally required Assessment of Need (AON), which also described the state's need for the program and defined the boundaries of the Forest Legacy Area, the area in which the program would be applied in Washington State.

At the time, the Puget Sound Corridor Forest Legacy Area, focusing on portions of Snohomish, King and Pierce counties, was designated because of its statewide contribution of forest resources (commodity as well as non-commodity) and the high rate of conversion of forestlands to non-forest uses. Despite having the largest share of the state's population and highest percentage of population growth, this region was still important for its forest resources contribution.

The 1993 AON recognized that "there may be future opportunity to propose additional Forest Legacy Areas within Washington." Now, a decade later, such an opportunity exists. Social, physical, legal and environmental changes have prompted DNR to update the AON, revisiting Washington State's need for the program and how and where to apply it.

- This new, updated AON defines Washington's Forest Legacy Program as one that is driven by the federal criteria and state goals and objectives—from the definition of the Forest Legacy Area to parcel evaluation and selection. It's a program that supports landscape-wide conservation strategies across the state, leverages conservation benefits, and coordinates partnership objectives, so that Washington's privately owned working forests can continue to be a source of timber, forest products, habitat, water quality, and other valuable environmental, social and economic benefits for generations to come.

Taking a new look at Washington's program

As the 1993 AON anticipated, there has been interest in extending the Forest Legacy Program beyond the Puget Sound corridor. The Washington State Forest Stewardship Coordinating Committee (Forest Stewardship Committee), stakeholders, and members of the public have expressed a desire to expand the program to other parts of the state, to include any of Washington's environmentally important private forestlands that are most threatened with conversion.

The desire to expand the program reflects Washington's expanding population, which increased by 21 percent between 1990 and 2000, and which is expected to nearly double by 2050. The Puget Sound Corridor

Forest Legacy Area established in 1993 limited the program to portions of the three most populous counties (plus two watersheds shared with two adjacent counties), but many other parts of the state are now experiencing similar losses of forestlands to development and fragmentation.

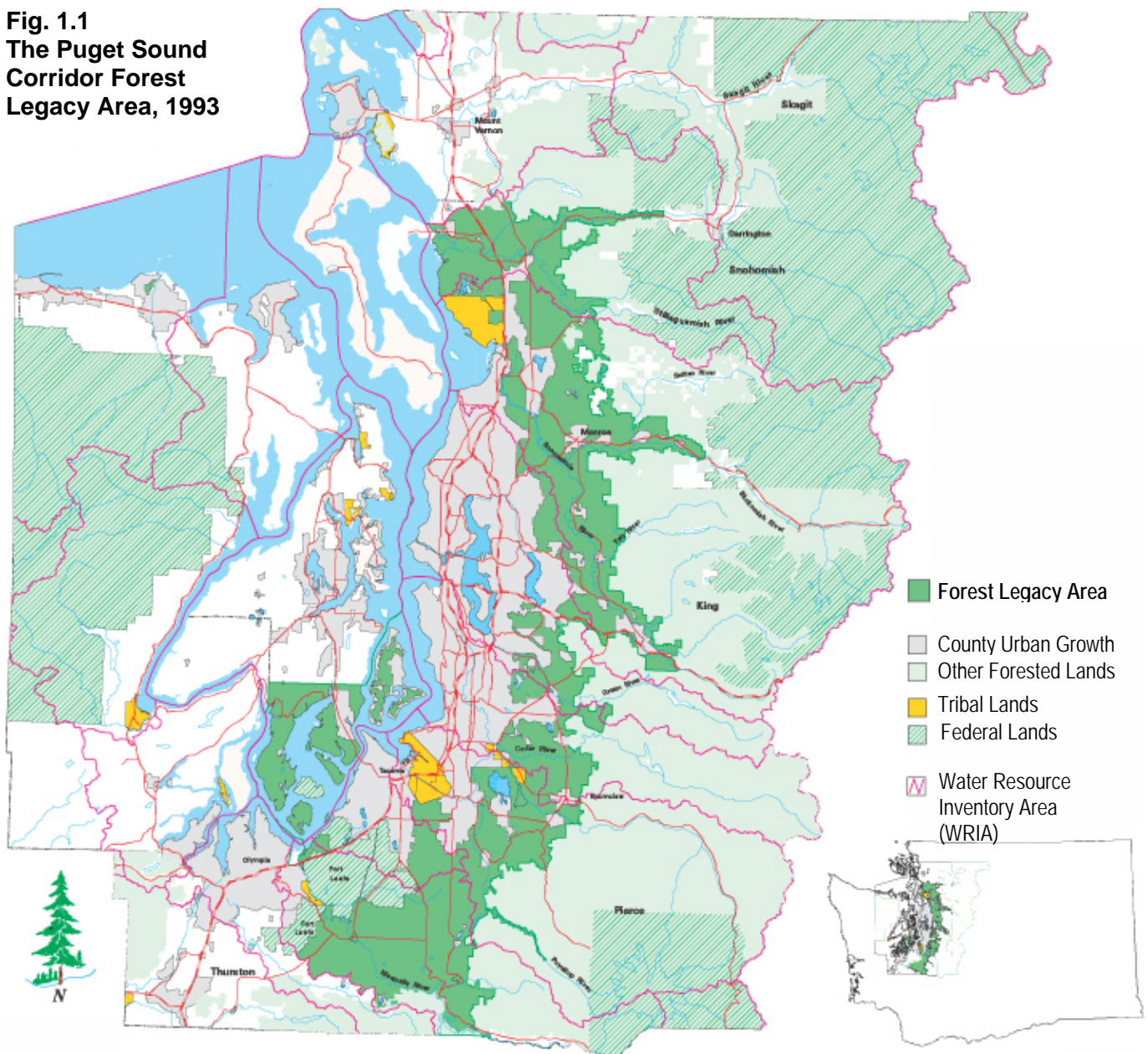
There also has been concern about limiting the program to the rural transition lands of the "Rural Residential Zone" —the lands lying between the areas that counties have designated for urban growth and the areas they have designated as resource lands of long-term commercial significance under the state's Growth Management Act. The 1993 AON included only these rural transition lands in the Forest Legacy Area. It failed to recognize that some of Washington's forestlands most threatened with conversion are in the "Forest Zone"—lands zoned for long-term forest use. In fact, many of the Forest Legacy projects in Washington have been in the Forest Zone, near the boundary with rural transition lands, and have required a Forest Legacy Area Boundary Adjustment.

In addition, concerns about the timber market and changes in forestry regulations have increased the economic appeal of conversion for some landowners, putting certain lands at risk of conversion that had not been considered at risk in 1993. (See Chapter 3.)

The Update Process

In late 2002, the Forest Stewardship Committee—a group of forest landowners, conservation organizations, public agencies, tribal interests, consulting foresters and others that advises DNR on implementing the federal Forest Stewardship Program in Washington State—formally recommended that DNR program staff update the 1993 Assessment of Need, including a reassessment of the boundaries of the Forest Legacy area and an evaluation of the criteria for parcel selection, to meet these concerns.

Fig. 1.1
The Puget Sound
Corridor Forest
Legacy Area, 1993



The Forest Stewardship Committee updated state goals for the program to set forth guidance for defining the Forest Legacy Area, and for updating the parcel evaluation criteria. Based on an analysis involving stakeholders, government officials, interest groups, and the public to identify trends that would define Washington's program, the committee felt strongly that Washington's program should focus its efforts to help mitigate the threat of conversion of working forest to non-forest uses, to protect water quality, and to protect wildlife habitat. The committee also reaffirmed its commitment to meeting the intent of the authorizing legislation.

Working in conjunction with the Forest Stewardship Committee, DNR staff updated state objectives, parcel selection criteria, and the Forest

Legacy Area based on federal and state intent of the program. Staff used census, forest resource, land ownership, and ecological resource data to delineate the boundaries of the Forest Legacy Area. The proposed final boundaries of the Forest Legacy Area and the parcel selection criteria were presented to the Forest Stewardship Committee in August 2004.

Updating the Assessment of Need was shaped not only by the guidance of the Forest Stewardship Committee but also by an extensive outreach process. DNR staff contacted planning officials in every forested county in Washington. The outreach process also included six public workshops located around the state and the development of a website that offered both the latest information about the program and an opportunity to make comment via e-mail. Public comments received, while not extensive, did reaffirm the goals of the state program and the importance of working forests, and did consistently reinforce the message that the Forest Legacy Program can and should be applied to areas of the state outside the Puget Sound Corridor. See Appendix A.

Using lessons from a decade of success

With a 10-year history of program success behind it, the 2004 AON does not start at square one—it is an update, based not only on new information but also on experience. Over the past decade, several things have become clear:

Since 1993, about 13,000 acres of forests have been protected through Washington State's participation in the Forest Legacy Program

- **The original 1993 goals of the program (to protect water quality, habitat, and timber management opportunities) continue to reflect values of the citizens of the state.**

In the decade since the program goals were established, forest-related issues in Washington have continued to focus on water quality, habitat and timber management opportunities: Additional forest wildlife species have been listed as threatened, under the federal Endangered Species Act. The Governor's Office has developed a Salmon Recovery Plan. The state Small Forest Landowners Office has been created to promote the economic and ecological viability of small forest landowners. The state legislature mandated new forest practices rules based on the Forests and Fish Report, the product of a landmark agreement between forest landowners, state and federal agencies, and natural resource interests, aimed at improving water quality and supporting a harvestable supply of fish while still maintaining the economic viability of Washington's timber industry.

Conflicts between efforts to meet different goals have arisen, but the conflict (and resolution) has shown that the goals are still valued. For example, rules concerning forest road and culvert maintenance

inadvertently created financial hardships for some small forest landowners, putting forests at risk of conversion and salmon at risk for loss of habitat. New legislation worked to create opportunities to meet the needs of both the fish and the landowners.

In addition, public input and the State Forest Stewardship Coordinating Committee have directly affirmed that these goals are still appropriate for Washington's Forest Legacy program.

Some of the most productive low-elevation forestland — capable of producing 120 cubic feet per year—is under threat of development.

- **Building protected landscapes of working forests creates a living legacy for the citizens of the state now and into the future.**

Protection of working forest opportunities is very important in Washington State. Working forests not only provide important ecological benefits, but also sustain social and economic factors.

Some of the most productive low elevation working forestlands are under intense pressure of development. Many landowners believe they can't afford to manage the lands for commodity use because of increased population pressures, changing regulations, and economic pressures to sell for the highest and best use. The Forest Legacy Program provides private landowners with an alternative to giving up productive forestland by being compensated for the development potential (higher and best use value) today. The landowner can reinvest the development value of the property, and continue to manage the lands for commodity production.

These lands then become a buffer between developed areas and remaining working forestland blocks that in turn provide water quality, habitat, and other benefits. The buffers too, contribute to communities by providing not only commodity production and habitat protection, but also by providing open space, recreational opportunities, and a connection with the natural environment.

- **The state's Growth Management Act (GMA) does not fully protect forestland reserved for long-term resource production from development.**

Under the GMA, counties identify resource lands (agricultural, forest or mineral resource lands) of long-term commercial significance and adopt standards and regulations to protect them.

The 1993 AON assumed that protection provided by the GMA was adequate, and therefore limited the Forest Legacy Area to the rural transition lands. However, development of higher and higher densities continues to push into lands designated for long-term resource production. Forestlands most threatened by conversion to

non-forest uses are those nearest existing development in both the Forest Zones and Rural Residential Zones (under the GMA). Counting on the GMA alone to protect resource lands seems risky.

- **Partnerships with local land trusts, national conservation groups and other governmental agencies are essential for coordinated conservation efforts.**

Partnerships help meet the needs of local citizens where there is a demonstrated desire to see land retained in productive forests and all associated benefits that accompany them. Often, land trusts provide services that make this program possible and have greatly contributed to its success. With their connections to the local community, they have been able to identify appropriate parcels, brought attention to landscape planning components, and brokered deals.

Conservation initiatives that protect threatened landscapes provide statewide benefits. For the past ten years, Forest Legacy Program acquisitions have supported these initiatives, and the policy should be continued. The “Mountains to Sound Greenway” I-90 corridor conservation effort, and the “Cascade Foothills Initiative” in Snohomish, King, Pierce and Kittitas counties are good examples.

- **Existing state and federal land acquisition programs actively used in Washington State can leverage conservation benefits of the Forest Legacy Program.**

For example, the State of Washington Natural Areas Program uses state funds to purchase lands to conserve/preserve lands with unique characteristics; the State of Washington Riparian Open Space Program uses state funds to perpetually protect channel migration zones on private lands; USFWS Cooperative Endangered Species Conservation Fund (Section 6) Program provides grant opportunities for preservation of habitat for recovery of ESA species; the state manages approximately 2 million acres of State Trust working forest lands, many of which are in the forest transition areas where the state intends to focus Forest Legacy Program acquisitions; and many counties actively conduct conservation programs.

- **Washington State needs the Forest Legacy Program to support comprehensive conservation efforts in the state.**

The Forest Legacy Program is unique, filling a vital niche for conservation of working forestlands with important ecological characteristics. Most programs that protect lands are for preservation, and are not designed to allow continued traditional use of the property by the landowner. Used in concert with other

conservation and preservation efforts, the Forest Legacy Program becomes a powerful tool for big-picture conservation strategies.

Through the Forest Legacy Program, working forests are recognized as conservation lands. The conservation community has embraced the program as an alternative to houses, supermarkets, and pavement, while forest landowners see an alternative to abandonment of productive forestland and relocation to places where they can more effectively manage their lands. The Forest Legacy Program is not intended to act alone in the landscape to provide conservation opportunities.

Summary of key program revisions

The program revisions defined in this update support Washington's Forest Legacy Program intent to focus conservation acquisitions in the state where the need is the greatest, based on the federal guidelines and the state goals and objectives. (See chapters 4 and 5 for details.)

Goals and Objectives

As seen below, the revisions to the goals seem minor, and in some ways are. Three of the four original goals have been retained. However, the two new goals—one to protect landscapes to discourage fragmentation and the other to incorporate federal goals—are important changes. The first recognizes that long-term protection is more likely to be achieved if whole landscapes are protected rather than isolated parcels. The second recognizes that the state program relies on the federal program, and unless the federal intent is met, the state program will be less effective.

1993 Goals	2004 Goals
Provide present or future timber management opportunities	Provide present and future timber management opportunities
Protect water quality	Protect water quality
Provide habitat for native fish, wildlife or plants	Provide habitat for native fish, wildlife and plants
Determine Forest Legacy Area based on natural rather than artificial (political) boundaries	Protect existing landscapes to discourage further fragmentation
	Incorporate federal program goals when evaluating proposals to ensure Washington's projects meet the intent of the authorizing legislation

Forest Legacy Area

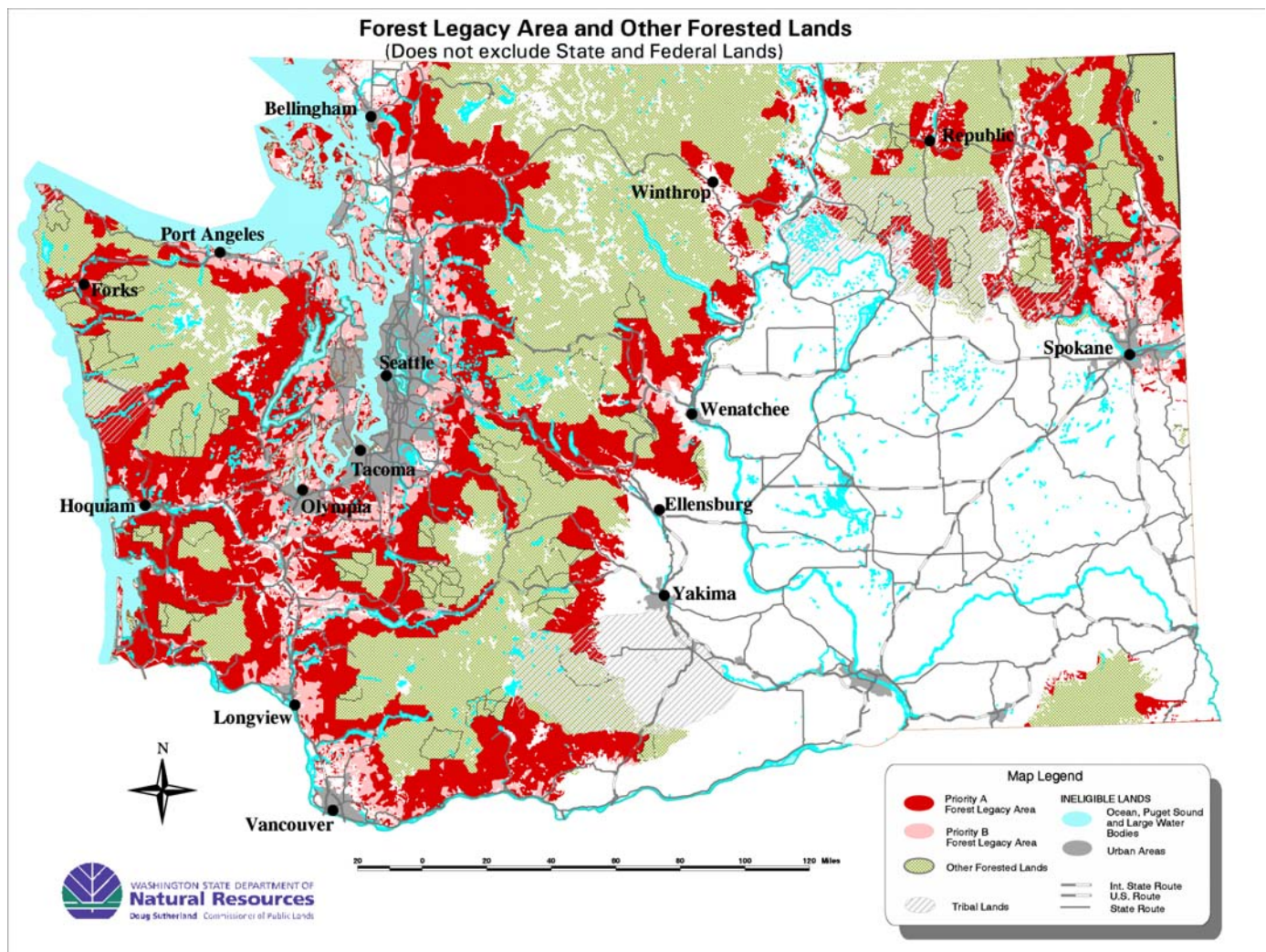
The new Forest Legacy Area (FLA) expands the program to include more areas of the state. The new FLA reflects population growth as the major cause of conversion of forestlands, and uses watershed boundaries as a way of defining landscapes.

The FLA is established through a GIS (Geographic Information System) mapping process, which uses data on forest cover and population density (household/acre).

The 2004 FLA is defined as:

All forestlands lying outside the designated urban growth areas, but within Watershed Administrative Units (WAUs) that contain lands populated with at least one household unit per 40 acres, plus adjustments as identified on 2004 FLA List of WAUs. (See Appendix D.) (Note: State and Federal lands are included in the FLA, but are not eligible for the program.)

Fig 1.2 2004 Forest Legacy Area (See larger version in Ch. 5.)



Priority areas are established in the FLA Map to focus acquisitions on forestlands in transition, not on rural lands in transition. Acquisitions in Priority A areas will create a buffer against development, while acquisitions in Priority B areas will support a transition to those buffers.

Priority A -- Lands in the FLA mapped at less than one household per 40 acres.

Priority B – Lands in the FLA mapped at one or more households per 40 acres.

Parcel Evaluation and Prioritization

The parcel evaluation and prioritization process helps focus limited land acquisition funding where it can have the greatest effect to protect the most critical forest landscapes. The process is in two parts: screening and ranking.

Screening identifies proposed parcels that do not qualify for the program because they do not support either the main purpose of the federal program or the focus and priorities of the state program. For a parcel to qualify, “yes” must be the answer to each of the following questions:

- Is the parcel at least 75 percent forested?
- Is the parcel privately owned?
- Is the proposal within the Forest Legacy Area (FLA)?
- Is the parcel part of a recognized forest landscape conservation effort with an established plan to achieve sustainable benefits, based on goals that complement the Forest Legacy Program (conserve working forests, wildlife habitat, and water quality)?

Ranking evaluates qualifying proposals. The first step in ranking is to determine if a parcel is in the Priority A or the Priority B portion of the FLA Map. A technical evaluation committee will rank projects within each priority category (A or B). This initial ranking within priority category is based on scores from applying evaluation criteria to each parcel. The criteria are based on critical goal and objectives and important values of the Forest Legacy Program. Each evaluation criteria category is individually weighted, to help focus available funds on the most important parcels. (See Ch. 5 for specific criteria.) Priority A parcels will be ranked above Priority B parcels.

The initial ranked list will be reviewed by the Forest Stewardship Committee, which will forward its recommendations to the State Forester for further review.

WEIGHTING OF EVALUATION CRITERIA

Max. Value	Evaluation Criteria Category
24%	Threat of Conversion
16%	Working Forest
13%	Water Quality
13%	Fish and Wildlife
12%	Protection of Existing Landscapes – Leveraged – Discourages Fragmentation
10%	Readiness – Cost Share
9%	Other Important Values (cultural, historic, scenic, recreation)
3%	Conservation Easements

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